

IN THE UNITED STATE DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

DEBRA BAILEY, INDIVIDUALLY
AND AS NEXT OF FRIEND OF
JACOB WYATT BAILEY,

VS.

HEALTHSOUTH CORPORATION;
BEAUMONT REHABILITATION
ASSOCIATES, L.P., d/b/a
HEALTHSOUTH REHABILITATION
CENTER-BEAUMONT; AND
HEALTHSOUTH REHABILITATION
HOSPITAL OF BEAUMONT, LLC, f/k/a
BEAUMONT REHABILITATION
ASSOCIATES, L.P.

C.A. NO.: 9:15-CV-00057

**DEFENDANTS' UNOPPOSED MOTION TO EXTEND DEFENDANTS' DEADLINE TO
DESIGNATE EXPERTS**

COME NOW, HEALTHSOUTH CORPORATION; BEAUMONT REHABILITATION ASSOCIATES, L.P., d/b/a HEALTHSOUTH REHABILITATION CENTER-BEAUMONT; AND HEALTHSOUTH REHABILITATION HOSPITAL OF BEAUMONT, LLC, f/k/a BEAUMONT REHABILITATION ASSOCIATES, L.P. Defendants in the above entitled and numbered cause, and file this Unopposed Motion to Extend Defendants' Deadline to Designate Experts. Defendants file this Motion subject to and without waiving their pending Motion to Compel Arbitration.

1.

Defendants' expert designation deadline is currently set for September 26, 2016. Defendants request a one week extension to October 3, 2016. Defendants have conferred with Plaintiff and Plaintiff is unopposed to this extension.

Good cause exists to extend Defendants' Deadline to Designate Experts. Defendants' counsel is currently preparing for arbitration proceedings in Case No. 01-15-0005-0977-2-CL set to begin on September 27, 2016. Additionally, Defendants only received deposition transcripts from depositions of several witnesses, including a witness to the incident that is the basis of the suit, on September 23, 2016. Defendants have acted in good faith to meet the current deadline and made repeated requests to obtain expedited transcripts. In light of these issues, Defendants request a short extension of one week to file and serve their expert designations. Defendants do not seek extensions of any further deadlines set by the Court at this time. This request is not sought for the purpose of delay. A one week extension of the current deadline will have no impact on the case moving forward. Additionally, Plaintiff is not delayed by this short extension. Defendants file this Motion prior to the expiration of the current deadline to designate experts.

Defendants respectfully requests the Court extend the pretrial deadlines as set forth above and for such other and further relief that Defendants may be entitled to in law or in equity.

Respectfully submitted,

SMITH & CARR, P.C.

By: /s/ Joy M. Brennan

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BEAUMONT; & HEALTHSOUTH REHABILITATION
HOSPITAL OF BEAUMONT, LLC, f/k/a BEAUMONT
REHABILITATION ASSOCIATES, L.P.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was electronically served via Electronic Case Filing System ("ECFS") of the United States District Court for the Eastern District of Texas on September 26, 2016 to the following:

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/s/ Joy M. Brennan
Joy M. Brennan

CERTIFICATE OF CONFERENCE

I hereby certify that Defendants' counsel conferred with Plaintiff's counsel via phone conference on September 23, 2016 and email on September 26, 2016 and Plaintiff is unopposed to extending Defendants' expert designation deadline.

/s/ Joy M. Brennan

Joy M. Brennan